

**State of New Hampshire**  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-1370 FAX (603) 271-1381



August 14, 2001

Brian O'Donnell  
Epping Texaco  
Route 125  
Epping, New Hampshire 03042

**CERTIFIED MAIL (7099 3400 0002 9772 5891)**  
**RETURN RECEIPT REQUESTED**

**LETTER OF DEFICIENCY**  
**No. ARD 2001-010**

Dear Mr. O'Donnell

The New Hampshire Department of Environmental Services, Air Resources Division (DES) conducted a file review of Epping Texaco, located on Route 125 in Epping, New Hampshire, to evaluate compliance with NH Admin. Rules Env-A 100-3600, NH Rules Governing The Control of Air Pollution. The records indicate that you are the owner of Epping Texaco. The file review indicates that Epping Texaco has not retested its Stage II vapor recovery equipment in accordance with Env-A 1205. DES personnel contacted Epping Texaco by telephone on January 18, 2001 as a reminder that the certification of the Stage II vapor recovery equipment had expired and that the Stage II equipment had to be retested.

As a result of the file review, this Letter of Deficiency (LOD) is being sent to identify the following deficiencies:

Env-A 1205.24(a)(2) Stage II Re-testing Requirements requires Epping Texaco to re-test the Stage II vapor recovery system within 90 days prior to the expiration date of the certification of compliance. A Certification of Compliance No. No. II-980027 (the Certificate) was issued by DES to Epping Texaco on February 25, 1998. The Certificate expired on June 1, 2000. DES records show that, to date, Epping Texaco has not conducted the Stage II retest required by Env-A 1205.24(a)(2).

2. Env-A 1205.28(b) Stage II Notification and Renewal Fees requires Epping Texaco to submit to DES a non-refundable renewal fee of \$200 on or before the expiration date of the Certificate. DES records show that Epping Texaco has not submitted the \$200 renewal fee to DES as required by Env-A 1205.28(b).

DES believes that the above-noted deficiencies can be resolved by Epping Texaco taking the following actions:

Within 10 days receipt of this LOD, submit to DES the non-refundable renewal fee of \$200 as required by Env-A 1205.28(b). Make the check payable to "Treasurer, State of New Hampshire"

2. Within 10 days receipt of this LOD, submit to DES a completed Station Notification Form (blank copy attached);
3. Within 15 days of receipt of this LOD, but at least 5 days after submittal to DES of the \$200 non-refundable renewal fee, contact Donna Jones at (603) 271-5749 to arrange for a date and time when a DES representative will be available to witness the Stage II certification testing. Tests conducted without oversight by DES shall be invalid for purposes of certification;

- 4 At least 5 working days prior to any proposed testing, submit to DES in writing a confirmation of the date and time agreed upon with DES that such testing will occur, and the name of the person who is responsible for such testing as required by Env-A 1205.23(b); and
- 5 Within 45 days receipt of this LOD, complete a successful certification retest of the Stage II vapor recovery equipment as required by Env-A 1205.24(a)(2).

Please address all information as follows:

Mr. Jack Glenn  
NHDES Air Resources Division  
Compliance Bureau  
6 Hazen Drive  
P.O. Box 95  
Concord, NH 03302-0095

In the event that compliance is not achieved within the time periods indicated, DES may take further action against Epping Texaco including issuing an order requiring that the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring this matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. If you have any questions regarding this matter, or require further information please contact Raymond Walters at (603) 271-6288 or Jack Glenn at (603) 271-6546.

Sincerely,



Pamela G. Monroe  
Compliance Bureau Administrator  
Air Resources Division

Enclosure: Env-A 1205 and Stage I/II Notification Form

cc: K. A. Colburn, Director, DES/ARD  
G. Rule, DES, O/C  
T. McCusker, EPA New England  
T. Gauthier, Chairman of Selectmen - Town of Epping  
Enforcement File

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